

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Hiroshi UEHARA : Patent Art Unit: 3679

Serial No. 10/787,174 : Examiner: Gregory John Binda

Filed: February 27, 2004

For: DAMPER MECHANISM AND

DAMPER DISK ASSEMBLY

THE ASSISTANT COMMISSIONER FOR PATENTS

Washington, DC 20231

Sir:

Transmitted herewith is a Response to Election /Restriction Requirement in the above-identified application:

[X] No additional fee is required.

The fee has been calculated as shown below:

*	CLAIMS		SMALL ENTITY	SMALL ENTITY
REMAINING	HIGHEST NO.			
AFTER	<b>PREVIOUSLY</b>	PRESENT	ADDIT.	ADDIT.
<u>AMENDMENT</u>	PAID FOR	EXTRA	RATE FEE	RATE FEE
TOTAL 20	- 20 =	*	x 25 = \$	x 50 = \$
INDEP 2	- 3 =	*	x 100 = \$	<u>x 200 = \$</u>
[ ] 1ST PRESENTA	TION OF MULT. DE	EP. CLAIM_	<u>+ 180 = \$</u>	+ 360 = \$
			TOTAL \$	TOTAL \$

- [X] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1836. A duplicate copy of this sheet is attached.
  - [X] Any additional excess claim fees under 37 CFR 1.16.
  - [X] Any additional patent application processing fees under 37 CFR 1.17.

Dated:

Todd M. Guise

Reg. No. 46,748

SHINJYU GLOBAL IP COUNSELORS, LLP 1233 Twentieth Street, NW, Suite 700 Washington, DC 20036 (202) 293-0444

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## RESPONSE TO ELECTION / RESTRICTION REQUIREMENT

Assistant Commissioner of Patents Washington, DC 20231

Sir:

The election/restriction requirement dated July 28, 2005 holds that this application contains claims directed to three patentably distinct species. More specifically, Applicant is required to elect one of the following patentably distinct species for prosecution on the merits under 35 U.S.C. §121:

Species I - Figures 1-14;

Species II - Figures 15 and 16; and

Species III- Figures 17 and 18.

Additionally, the Office Action indicates that at least claim 1 is generic.

In response, Applicants hereby elect the species illustrated in Figures 1-14 without traverse. Applicant believes that claims 1-18 read on Figures 1-14. Further, Applicant believes that claims 1 and 10 are generic.

Accordingly, Applicants respectfully request examination of claims 1-18 since they read on the elected species shown in Figures 1-14. Claims 19 and 20 are believed to be directed to

Appl. No. 10/787,174 Amendment dated August 5, 2005

Reply to Office Action of July 28, 2005

non-elected embodiments. Thus, these claims 19 and 20 can be withdrawn from consideration in this case. However, Applicants respectfully request that these non-elected claims be considered upon the allowance of a generic claim in accordance with U.S. patent practice.

Prompt examination on the merits is respectfully requested.

Respectfully submitted,

Todd M. Guise Reg. No. 46,748

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Dated:

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